

110TH CONGRESS
1ST SESSION

H. R. 4496

To amend the Elementary and Secondary Education Act of 1965 to ensure that the Impact Aid program of the Department of Education guarantees that each eligible local educational agency receives at least the same percentage of the maximum payment under current formulas as the percentage of its land owned by the Federal Government.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 12, 2007

Mr. DAVID DAVIS of Tennessee introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the Elementary and Secondary Education Act of 1965 to ensure that the Impact Aid program of the Department of Education guarantees that each eligible local educational agency receives at least the same percentage of the maximum payment under current formulas as the percentage of its land owned by the Federal Government.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. EACH ELIGIBLE LOCAL EDUCATIONAL AGENCY**
2 **TO RECEIVE AT LEAST SAME PERCENTAGE**
3 **OF THE MAXIMUM PAYMENT AS THE PER-**
4 **CENTAGE OF LAND OWNED BY THE FEDERAL**
5 **GOVERNMENT.**

6 (a) PAYMENTS FOR FEDERAL ACQUISITION OF REAL
7 PROPERTY.—Section 8002 of the Elementary and Sec-
8 ondary Education Act of 1965 (20 U.S.C. 7702) is amend-
9 ed by adding at the end the following:

10 “(o) ENTITLEMENT TO PERCENTAGE OF MAX-
11 IMUM.—Notwithstanding any other provision of this title,
12 the Secretary shall, each fiscal year, for each eligible local
13 educational agency, do the following:

14 “(1) Identify—

15 “(A) the amount that the local educational
16 agency is to receive under the other provisions
17 of this section; and

18 “(B) the amount determined by multi-
19 plying—

20 “(i) the maximum amount that the
21 local educational agency is eligible to re-
22 ceive under the other provisions of this sec-
23 tion; and

24 “(ii) the percentage of land of the
25 local educational agency that is Federal
26 property eligible under this section.

1 “(2) If the amount under paragraph (1)(A) is
 2 less than the amount under paragraph (1)(B), trans-
 3 fer, from amounts available to the Secretary for
 4 other purposes, funds sufficient to make up the dif-
 5 ference, and add those funds to the amount paid to
 6 the local educational agency under this section.”.

7 (b) BASIC PAYMENTS; PAYMENTS FOR HEAVILY IM-
 8 PACTED LOCAL EDUCATIONAL AGENCIES.—Section 8003
 9 of that Act (20 U.S.C.7703) is amended by adding at the
 10 end the following:

11 “(h) ENTITLEMENT TO PERCENTAGE OF MAX-
 12 IMUM.—Notwithstanding any other provision of this title,
 13 the Secretary shall, each fiscal year, for each eligible local
 14 educational agency, do the following:

15 “(1) Identify—

16 “(A) the amount that the local educational
 17 agency is to receive under subsection (b); and

18 “(B) the amount determined by multi-
 19 plying—

20 “(i) the maximum amount that the
 21 local educational agency is eligible to re-
 22 ceive under subsection (b); and

23 “(ii) the percentage of land of the
 24 local educational agency that is Federal
 25 property eligible under section 8002.

1 “(2) If the amount under paragraph (1)(A) is
2 less than the amount under paragraph (1)(B), trans-
3 fer, from amounts available to the Secretary for
4 other purposes, funds sufficient to make up the dif-
5 ference, and add those funds to the amount paid to
6 the local educational agency under subsection (b).”.

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